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REQUEST FOR RECONSIDERATION

PATENT

(a) introducing and distributing gas in the lower section of a reactor containing a layer of catalyst or catalyst support,

(b) forming a fluidized bed in the reactor,

(c) treating the catalyst or catalyst particles in the fluidized bed, wherein the treatment of the catalyst or catalyst support is selected from the group consisting of an activation treatment, a calcination treatment, and both an activation and calcination treatment, and

(d) discharging the reactor such that said reactor is substantially residue-free,

wherein the reactor has a bottom which tapers downward, but which does not have a gas distribution plate.

Foster fails to disclose or suggest the claimed method for activating and/or calcining catalysts or catalyst supports. Instead, Foster discloses a multistage, continuous process for the preparation of propylene-ethylene impact copolymers in which the catalyst passes through a first polymerization stage in liquid state before entering fluidized bed reactors in second and third stages.

Each Foster stage employs a different reactor. The features of these reactors cannot be combined or mixed-up when determining the novelty of the claimed process:

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Foster's first stage uses a plug flow reactor to prepolymerize propylene. The plug flow reactor does not taper downwards and does not form a fluidized bed. A plug flow has very little, if any, backmixing of product with feed (col. 4, lines 4-7), which is contrary to a fluidized bed in which there is complete back-mixing. Accordingly, Foster's plug flow reactor No. 1 fails to disclose or suggest the downward taper and fluidized bed features of the claimed process.

Foster's second stage uses a fluidized bed reactor which tapers downward. However, Foster's second stage does not disclose either a calcination or an activation step in its reactor No. 2. Instead, homopolymerization occurs in Foster's reactor No. 2 using the catalyst which has previously been activated in reactor No. 1. Moreover, Foster's reactor No. 2 has a distribution plate, as conceded by the Patent Office. Accordingly, Foster's homopolymer reactor No. 2 also fails to disclose or suggest the claimed method.

Foster's third stage also uses a fluidized bed reactor which tapers downward. However, Foster's third stage does not disclose either a calcination or an activation step in its reactor No. 3. Instead, copolymerization occurs in Foster's reactor No. 3 using the catalyst which had previously been activated in reactor No. 1.

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Moreover, Foster's reactor No. 3 has a distribution plate, as conceded by the Patent Office. Accordingly, Foster's copolymer reactor No. 3 also fails to disclose or suggest the claimed method.

Reconsideration and withdrawal of the anticipation rejection of claims 1, 5 and 17 over Foster are earnestly requested.

The 35 U.S.C. § 103(a) rejection of claims 2 and 3 over Foster in view of U.S. Patent No. 5,674,795 to Wasserman et al. is also traversed. As discussed above, the claimed method is a method for activating and/or calcining olefin polymerization catalysts which contain transition materials as an active component, or catalyst supports which contain oxidic compound as a support material. The method employs a reactor which has a bottom which tapers downwards, but which does not have a gas distribution plate.

The cited combination of references fails to raise a *prima facie* case of obviousness against the claimed method. More particularly, the deficiencies of Foster, discussed above, are not remedied by the additional disclosure of Wasserman et al., which is cited merely to show a cyclone. Reconsideration and withdrawal of the obviousness rejection of claims 2 and 3 are earnestly requested.

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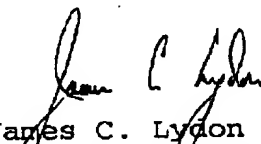
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It is believed this application is in condition for allowance. Reconsideration and withdrawal of all rejections of claims 1-3, 5, 16 and 17, and issuance of a Notice of Allowance directed to claims 1-3, 5, 14, 15 and 17, are earnestly requested. The Examiner is urged to telephone the undersigned should he believe any further action is required for allowance.

It is not believed any fee is required for entry and consideration of this Request. Nevertheless, the Commissioner is authorized to charge our Deposit Account No. 50-1258 in the amount of any such required fee.

Respectfully submitted,

  
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